

**THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ORLANDO EDWARDS and LEE EDWARDS,)	
)	
)	
Plaintiffs,)	
)	
v.)	
)	No. 09 CV 1726
CHICAGO POLICE OFFICER J. HARITOS, STAR NO. 16873, and OFFICER P. PARK, STAR NO. 13949)	
)	Hon. James F. Holderman
Defendants.)	
)	

**DEFENDANT CHICAGO POLICE OFFICER J. HARITOS AND P. PARK'S
MOTION FOR JUDGMENT AS A MATTER OF LAW**

Defendants, Chicago Police Officer J. Haritos and P. Park, by and through their attorneys, Frank P. Nowicki and Reiko Satoh of Johnson & Bell, Ltd., and pursuant to Federal Rules of Civil Procedure 50(a) move for Judgment as a Matter of Law in favor of Defendants. In support thereof, Defendants state as follows:

Pursuant to Federal Rule of Civil Procedure 50(a) a party may move for judgment as a matter of law if the Court finds that a reasonable jury would not have a legally sufficient evidentiary basis to find for the party on that issue. F.R. Civ. P. 50(a).

Each of the plaintiffs, Lee Edwards and Orlando Edwards, has alleged the following claims against each of the defendants, John Haritos and Paul Park: 1) False Arrest; 2) Excessive Force; 3) Malicious Prosecution; and 4) Failure to provide medical attention.

Defendants hereby move for judgment as a matter of law with respect to all of plaintiffs' claims because the jury does not have a legally sufficient evidentiary basis to find for either of the plaintiffs on each of their claims. The jury does not have sufficient evidence to find in favor

of the plaintiffs on any of their claims because the testimony of the plaintiffs and their family members is contradictory, confusing and unclear.¹ Furthermore, there has been no evidence that Paul Park used excessive force upon Lee Edwards or that John Haritos used excessive force upon Orlando Edwards on March 3, 2008 at 5736 West Ohio.

WHEREFORE, Defendants, Chicago Police Officer J. Haritos and P. Park, respectfully request this Honorable Court to grant Defendants' Federal Rule of Civil Procedure 50(a) Motion for Judgment As A Matter of Law, and for any other relief deemed just and appropriate.

Dated: January 12, 2011

Respectfully submitted,
CHICAGO POLICE OFFICER JOHN
HARITOS and PAUL PARK

By: /s/ Reiko Satoh

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¹ Defendants' argument to be supplemented orally before the Court.

CERTIFICATE OF SERVICE

The undersigned on oath states that she served true and correct copies of the foregoing **DEFENDANTS' MOTION FOR JUDGMENT AS A MATTER OF LAW** via the Northern District of Illinois ECF System on January 12, 2012.

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/s/ Reiko Satoh

[x] Under penalties as provided by law pursuant to Ill. Rev. Stat. Chap. 110 §1-109, I certify that the statements set forth herein are true and correct.